What a truck accident lawyer works from, and why it is not a car case

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What makes a truck accident claim different from a car accident claim?

The defendant. A carrier answers to a federal regulator, so it owed written duties about driving hours, maintenance and drug testing, and it holds the records proving whether it met them. That file is what a truck accident lawyer works from. Federal minimum cover starts at $750,000, and the broker, shipper or trailer owner may answer too.

The federal rules a carrier runs on

Bulk hazardous loads carry far higher minimums, up to five million.

49 C.F.R. § 387.9

It runs from coming on duty; an ordinary break does not stop it, a qualifying sleeper-berth rest does.

49 C.F.R. § 395.3

Duty status is recorded by the vehicle, so the record cannot be written after the fact.

49 C.F.R. §§ 395.8, 395.22

The carrier must systematically inspect and repair, and must be able to show it did.

49 C.F.R. § 396.3

A citation plus an injury treated away from the scene, or a tow-away, also triggers it.

49 C.F.R. § 382.303

The rating counts even on a day the truck runs empty. Seating capacity and a placarded hazardous load each bring a vehicle in on their own, whatever it weighs.

49 C.F.R. § 390.5T

Federal Motor Carrier Safety Regulations, checked 2026-09-12 by second-pass check agent, independent of the author.

Who answers, beyond the person driving

In an ordinary collision there is one defendant, one policy and one set of facts. A truck brings a company with it. The carrier is answerable for the driver it put on the road, and separately for how it hired, trained, supervised and dispatched them, because the federal rules put those duties on the carrier rather than on the person at the wheel.

The rig is often not one owner either. The tractor, the trailer and the load can belong to three businesses, and the broker who arranged the freight to a fourth. Each of them has its own insurer and its own version of the trip, which is why an early letter to the wrong company can cost a claim the only records that would have settled it.

A maintenance failure widens it again. If a component failed, the shop that last signed the inspection and the party that owned the vehicle at the time are both in the picture, and the carrier's own inspection file is what says which of them knew.

The records that already exist, and who is holding them

This is the part people underestimate. A carrier is required to record duty status electronically, so the hours the driver had been working are written by the vehicle rather than by anybody afterwards. It is required to inspect, repair and maintain, and to be able to show that it did. After a crash that killed someone it is required to test the driver.

Every one of those duties leaves a document, and the documents exist before anyone hires a lawyer. That is the single largest practical difference between this and a car case, where the evidence is usually two accounts and a police report.

They do not exist forever. The retention periods in the regulations are measured in months and years rather than decades, and the electronic record lives on a device that goes back into service. A letter asking a carrier to preserve what it holds is the first thing an attorney sends, and the reason the days after a crash matter more here than anywhere else on this site.

The cover behind a truck, and why the number is larger

A private driver carries what their state requires, which in most places is a five-figure number. A carrier operating in interstate commerce carries a federal minimum that starts at $750,000, and bulk hazardous loads carry minimums several times that. The minimum is the floor rather than the policy: large fleets carry layers well above it.

That gap is why the two kinds of case behave differently from the first phone call. A commercial insurer sends someone to the scene, sometimes the same day, and the recorded statement they ask for is taken by a professional whose job is the company's exposure.

It is also why the identity of the defendant decides the size of the claim more than the injuries do. A serious injury against a personal policy is capped by that policy; the same injury against a carrier is not.

Commercial-vehicle crashes in the federal record

2000 199,353 reported crashes at the peak 2025

Summed from the 51 state exports. A crash is reported here when it killed someone, injured someone badly enough to be treated away from the scene, or disabled a vehicle enough to be towed. It is not a finding of fault, and a state with more freight reports more crashes.

What counts as a reportable crash, 49 CFR 390.5

Truck accident law, state by state

What the carrier owed is federal and the same everywhere. The deadline to sue, how fault is divided, and what a state requires of the other policies are not.

- Texas Houston

Where to go next, including finding a truck accident lawyer

- Commercial
- The attorney directory, and what a listing here means
- Uber and Lyft accidents
- Offshore injuries
- Refinery and plant accidents
- Aviation accidents
- Wrongful death
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Sources

49 C.F.R. § 387.9:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-387/subpart-A/section-387.9
49 C.F.R. § 395.3:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395/section-395.3
49 C.F.R. §§ 395.8, 395.22:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-395/section-395.8
49 C.F.R. § 396.3:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-396/section-396.3
49 C.F.R. § 382.303:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-382/subpart-C/section-382.303
49 C.F.R. § 390.5:
https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-390/subpart-A/section-390.5

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